

ARTICLE 7 - RESIDENTIAL PLANNED COMMUNITY, DISTRICT R-4

Proposed Amendments

AMEND THE FOLLOWING SECTIONS TO READ AS FOLLOWS:

7-2. APPLICATION

- 7-2-1. The applicant shall furnish with his application for establishment of a residential planned community, a statement of the impact on the community, together with seven (7) copies of a Master Plan prepared by a surveyor, engineer or architect, duly authorized by the State to practice as such, upon which shall be shown the approximate location of the open areas which shall comprise not less than forty (40) per cent of the various land uses, the general location and the general location of any commercial centers and the residential density classifications of each residential area.
- 7-2-2. The applicant shall further submit with his application seven (7) copies of a set of schematic preliminary plans which shall indicate a method by which the Master Plan may be implemented and show the general circulation plan.

DEVELOPMENT

7-3. FINAL PLAN

- 7-3-1. Following the establishment of a residential planned community by approval of the Board of Supervisors of a Master Plan therefore, the applicant shall furnish to the Planning Commission seven (7) copies of a Final Plan of any part or section of the community shown on the Master Plan and from time to time thereafter shall submit additional Final Plans comprising the whole area of the Master Plan. The final plan shall be prepared or certified by a surveyor or engineer or architect. The Final Plans shall be consistent with the Master Plan as approved, but may vary from the preliminary plans to any degree which the Planning Commission believes does not vary the basic concept or character of the development.
- 7-3-2. The Final Plans shall show to scale the layout of all major and local roads, public and private, the general location of all buildings and improvements, other than single family dwellings (as to these buildings the general location for improvements within the lines of each lot shall be shown) and other than school buildings or other buildings to be built by public authority (as to which the site or lot shall be shown), all parking areas, pedestrian ways, utility easements, lot lines, and shall show the different types of open area and other public or community amenities, the proposed use of all buildings and of all areas dedicated for public or private common use.

- 7-3-3. The applicant shall furnish with a Final Plan a proposed deed of easement including restrictions safeguarding the permanent use of open areas, if any.
- 7-3-4. The Planning Commission shall, within thirty (30) days of receipt of a Final Plan pursuant to Section 7-3-1, review the Final Plan and report its recommendations for approval or disapproval to the Board of Supervisors. The Board of Supervisors shall, within thirty (30) days of its first regular meeting following receipt of the report of the Planning Commission, approve the Final Plan if the Board of Supervisors determines that implementation of the Final Plan will not adversely affect the health or safety of persons residing or working in the area, will not be detrimental to the public welfare or injurious to property or improvements in the community, and will be in accord with the provisions and purposes of this ordinance and the land use plan of James City County. The Board of Supervisors if it approves such Final Plan, may, in so doing, impose conditions to such approval pursuant to other provisions of this ordinance. Failure of the Board of Supervisors to disapprove the Final Plan within such thirty (30) day period shall be deemed approval of such Final Plan. Upon approval of the Final Plan by the Board of Supervisors, applicant may record the Final Plan, provided that locations on the recorded plat be shown by metes and bounds. Thereafter, no modification may be made in any Final Plan except by an amended Final Plan submitted as provided for the original Final Plan.

ADD THE FOLLOWING NEW SECTIONS:

- 7-3-5. It shall be the obligation of applicant, upon the approval of the Master Plan, to convey to the Board of Supervisors or its designee such lands as may be required herein.
- Subsequent to the establishment of the Master Plan as provided in Section 7-2-3 hereof, applicant shall, from time to time, upon request of the Board of Supervisors, furnish a deed or deeds, without consideration, to such amount or amounts of land as may be determined by the Board of Supervisors to be reasonably required as sites for additional or expanded public services (including, but not limited to education, fire protection and municipal functions), the need for which services has been, or is reasonably anticipated in the future to be, occasioned by the development of the residential planned community. The land or lands to which a deed or deeds is to be furnished hereunder may be selected by the applicant, but must be suitable from the standpoint of size, location and topography, to the public purposes for which required. The amount of land required to satisfy the requirements of this section shall be not more than four (4) acres per 1,000 population, computed by reference to the maximum density permitted under the Master Plan. The obligation imposed upon applicant by this section may be satisfied in whole or in part by written agreement between applicant

and the Board of Supervisors, Failure of applicant to comply with the requirements shall be grounds for withholding approval of any pending or future Final Plan.

- 7-3-6. No land shown on a Master Plan shall be subdivided, nor shall any structure be erected on such land except in accordance with a Final Plan approved and recorded pursuant to Section 7-3-4 above.

7-5. COMPUTING POPULATION DENSITY

The average population density of the aggregate gross area shall not exceed ten (10) persons per acre.

For the purpose of computing population maximum density, a factor of three and seven-tenths (3.7) persons shall be used per detached single family dwelling or permanent mobile home, three (3) persons per townhouse, two (2) persons per unit, in multi-family structures of three stories or less, and one and five-tenths (1.5) persons per unit in residential club house, hotel, motel or high rise (elevator) apartment or other structure of more than three stories above ground.

7-7. USE REGULATIONS

- 7-7-9. Yacht clubs, private or commercial marinas, boat storage and service facilities shall be permitted.

7-10. UTILITIES

Substitute Board of Supervisors for Planning Commission,

7-11. STREET IMPROVEMENTS

- 7-11-1. All dedicated public streets shown on the Final Plan shall meet requirements of the Virginia Department of Highways Subdivision Standards. Before approval of any Final Plan the Resident Agent shall so certify. Such public streets shall be coordinated with the Major Transportation Network shown in the County Comprehensive Plan.

7-11-2. Substitute Board of Supervisors for Planning Commission,

7-11-3. Substitute Board of Supervisors for Planning Commission,

7-11-5. Substitute Board of Supervisors for Planning Commission,

7-11-6. Substitute Board of Supervisors for Planning Commission,

7-12. MINIMUM STREET REQUIREMENTS CHART

Delete this section.

- 7-13. Change section number to 7-12 and to read as follows:
SPECIAL PROVISIONS

The provisions hereof shall not be limited by any provisions of any other part of the James City County Zoning or Subdivision Regulations inconsistent herewith.

ARTICLE 9 - INDUSTRIAL, LIMITED, DISTRICT M-1

Proposed Amendments

9-1. USE REGULATIONS

ADD:

9-1-55. Thematic Park or Gardens

9-1-56. Campgrounds with Conditional Use Permit

Adopted by the Board of Supervisors of James City County, Virginia, on this 12th day of June, 1972.